

**SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM**

SUBJECT: REQUEST FOR REAR YARD SETBACK VARIANCE FROM 20 FEET TO 10 FEET FOR A PROPOSED COVERED SCREEN ROOM (MARY JEVITT, APPLICANT).

DEPARTMENT: Planning & Development **DIVISION:** Planning

AUTHORIZED BY: Earnest McDonald **CONTACT:** Kathy Fall **EXT.** 7389

Agenda Date 10-27-03 **Regular** ☒ **Consent** ☐ **Public Hearing – 6:00** ☒

MOTION/RECOMMENDATION:

1. **APPROVE** THE REQUEST FOR REAR YARD SETBACK VARIANCE FROM 20 FEET TO 10 FEET FOR A PROPOSED COVERED SCREEN ROOM (MARY JEVITT, APPLICANT); OR
2. **DENY** THE REQUEST FOR REAR YARD SETBACK VARIANCE FROM 20 FEET TO 10 FEET FOR A PROPOSED COVERED SCREEN ROOM (MARY JEVITT, APPLICANT); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

(District 5 – Commissioner McLain)

(Kathy Fall, Senior Planner)

GENERAL INFORMATION		APPLICANT:	MARY JEVITT
		LOCATION:	2800 EGRETS LANDING DRIVE
		ZONING:	PUD (EGRETS LANDING)
BACKGROUND/ REQUEST		<ul style="list-style-type: none"> • THE APPLICANT PROPOSES TO CONSTRUCT A 200 SF (20 FT X 10 FT) COVERED SCREEN ROOM THAT WOULD ENCROACH 10 FEET INTO THE MINIMUM REAR YARD SETBACK. • AS SHOWN ON THE ATTACHED SITE PLAN, THE (WEST) SIDE YARD OF THE SUBJECT PROPERTY ABUTS A COMMON AREA DESCRIBED AS TRACT "N", AND THE REAR YARD ABUTS A RETENTION POND DESCRIBED AS TRACT "G". 	
STAFF FINDINGS		<ul style="list-style-type: none"> • THE APPLICANT HAS FAILED TO DEMONSTRATE A HARDSHIP, BASED ON THE STANDARDS FOR GRANTING VARIANCES. • THE REQUEST WOULD CONFER ON THE APPLICANT SPECIAL PRIVILEGES THAT WOULD BE DENIED TO 	

	<p>OTHER LANDS IN THE EGRETS LANDING PUD BY ALLOWING ENCROACHMENT INTO THE REAR YARD SETBACK THAT EXCEEDS THE LIMITS OF NEIGHBORHOOD DEVELOPMENT TRENDS.</p> <ul style="list-style-type: none">• THE APPLICANT WOULD RETAIN REASONABLE USE OF THE PROPERTY WITHOUT THE GRANTING OF A VARIANCE.
STAFF RECOMMENDATION	<p>STAFF RECOMMENDS THE BOARD OF ADJUSTMENT DENY THE VARIANCE REQUEST UNLESS THE APPLICANT CAN DEMONSTRATE A HARDSHIP. IF THE BOARD SHOULD DECIDE TO GRANT A VARIANCE, STAFF RECOMMENDS THE FOLLOWING CONDITIONS:</p> <p>ANY VARIANCE GRANTED SHOULD APPLY ONLY TO THE PROPOSED COVERED SCREEN ROOM AS DEPICTED ON THE ATTACHED SITE PLAN.</p> <ul style="list-style-type: none">• ANY ADDITIONAL CONDITION(S) DEEMED APPROPRIATE BY THE BOARD, BASED ON INFORMATION PRESENTED AT THE PUBLIC HEARING.

BOUNDARY SURVEY

LEGAL DESCRIPTION: LOT 1, EGRETS LANDING, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 54 PAGE(S) 98 - 99 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.

TRACT N

TRACT G

SINGLE FAMILY RES. #2800










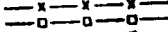

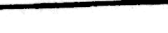

LOT 1

LOT 2

SCALE:
1" = 30 FEET

PROPOSED ROOFED 10' x 20' PATIO, SCREENED, WITH AN ADDITIONAL 10' x 20' PATIO SCREENED

LEGEND:

-  = CONCRETE
-  = SET 1/2" REBAR & CAP PSM # 0067
-  = FOUND PROPERTY CORNER
-  = FOUND 4" X 4" CONCRETE MONUMENT
-  = WELL
-  = GAS METER
-  = FIRE HYDRANT
-  = CENTERLINE
-  = BUILDING SETBACK LINE
-  = BARBED WIRE FENCE
-  = WOOD FENCE
-  = CHAIN LINK FENCE
-  = OVERHEAD UTILITY LINES

- NR = NOT RADIAL
- RAD = RADIAL
- R = RADIUS
- Δ = CENTRAL ANGLE
- L = ARC LENGTH
- CH.BRC. = CHORD BEARING
- LS. = LAND SURVEYOR
- LB. = LAND SURVEYING BUSINESS
- M = MEASURED
- P = PLAT
- PRM = PERMANENT REFERENCE MONUMENT
- PC = POINT OF CURVATURE
- POB = POINT OF BEGINNING
- PT = POINT OF TANGENT
- U.E. = UTILITY EASEMENT

- CONC. = CONCRETE
- C.B. = CONCRETE BLOCK
- W.F. = WOOD FRAME
- COV. = COVERED
- ENT. = ENTRANCE
- WM. = WATER METER
- WPP = WOOD POWER POLE
- CPD = CONC. POWER POLE
- A/C = AIR CONDITIONER
- R/W = RIGHT OF WAY
- I.R. = IRON ROD
- I.P. = IRON PIPE
- C.M. = CONCRETE MONUMENT
- FF ELEV. = FINISHED FLOOR ELEVATION
- D.U.E. = DRAINAGE & UTILITY EASEMENT

NOTES

**VARIANCE
APPLICATION TO THE SEMINOLE COUNTY
BOARD OF ADJUSTMENT**

APPLICANT: MARY E. JEVITT

COMPLETE MAILING ADDRESS: 2800 EGRET'S LANDING DR. LAKE MARY

PHONE: WORK: 407. 304. 3484 HOME: 407. 302. 3559 FAX: 407. 304. 1025 ³²⁷⁴⁶

CELL PHONE: 407. 810. 9053 Email: mjevitt@hteinc.com

PROPERTY OWNER OF RECORD: MARY E. JEVITT

SITE OF REQUEST: 2800 EGRET'S LANDING DR. LAKE MARY, FL 32746

STATEMENT OF HARDSHIP: THE CONSERVATION AREA BEHIND THE HOUSE HAS BECOME A SWAMP - I NEED PROTECTION FROM BUGS, FROGS, SNAKES ENTERING THE HOUSE. FEAR OF DISEASE

REQUEST: A 40' X 10' SCREENED PATIO. 20' X 10' TO BE ROOFED TO MATCH THE HOUSE; ALL 40' X 10' TO BE SCREENED. RY SETBACK CHANGE FROM 20' - 10'

LEGAL DESCRIPTION OF PROPERTY: LOT 1, EGRET'S LANDING, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 54 PAGES (96-99) OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FL.

TAX PARCEL ID NO. 03. 20. 30. 5PB. 0000. 0010

KNOWN CODE ENFORCEMENT VIOLATIONS ON PROPERTY: NONE

EACH APPLICATION WILL BE ACCOMPANIED BY THE FOLLOWING:

Applicant must be the property owner. Someone other than the property owner may act on the property owner's behalf at the public hearing; however, a letter of authorization from the property owner must be submitted to the County. One 8.5" X 14" site plan and application fee.

SIGNATURE OF APPLICANT: Mary E. Jevitt DATE: 8.27.03

FOR OFFICE USE ONLY	
FEE: _____ CK# _____	RECEIPT# _____ DATE _____ ZONING DISTRICT: <u>PUD</u>
FURTHER DESCRIBED AS: _____	
LOT SIZE: _____	
PROCESSING:	
A. LEGAL AD TO NEWSPAPER _____ / _____	B. NOTICE TO PROPERTY OWNERS _____
C. PLACARDS / NOTICE _____ / _____	D. PROJECT NO. <u>03-30000151</u>
E. BOARD ACTION / DATE _____ / _____	F. LETTER TO APPLICANT _____
G. PUD SETBACKS _____	

INITIAL CONFERENCE _____

BCC DISTRICT _____

PLANNER _____

FILE NO. BV 2003-148

* Dev Review for drainage

MEETING DATE _____

GUI
PROJ. #

ZONED: PUD

SEC: 3, 10

TWP: 20

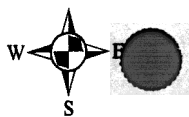
RNG: 30

DEVELOPMENT:		Egret's Landing (fka Chase Groves South Village) (Tracts JJ, LL, MM of F.M.P. for Chase Groves PUD)				DEVELOPER:		Lake Mary 32746	
LOCATION:		E side of Longwood-Lake Mary Road, S of Airport Boulevard 224 lots							
FILE#:		BA:		SP:		BCC:			
P&Z:									
PB	54	PG	96-99	Lot		Blk		Parcel	
								DBA	
								Comm Dist	5
DEVEL. ORDER #:				TAX PAR. I.D. #:					
SIDEWALKS: 4' sidewalks both sides of internal streets.				SETBACK REQUIREMENTS					
				FY:	20'	SIDE ST.:	15'	SY:	5'
								RY:	20'
ROAD TYPE: (CURB & GUTTER OR SWALE)				MAIN STRUCTURE OTHER:					
COMMENTS OTHER:				ACCESSORY STRUCTURE SETBACKS:					
1) Addressed to Lake Mary, Florida 32746				SY:	10'		RY:	10'	
2) Minimum lot width: 55'; Minimum dwelling size: 700 sq. ft.; Minimum lot size: 5,000 sq. ft.; 45' at building line minimum lot width.									
3) The retention and conservation areas and their access shall be platted as tracts.				ACCESSORY STRUCTURE OTHER: Attached: same as main building: rear 10' Detached: same as main building not to project beyond the main residence, rear yard - 10'					

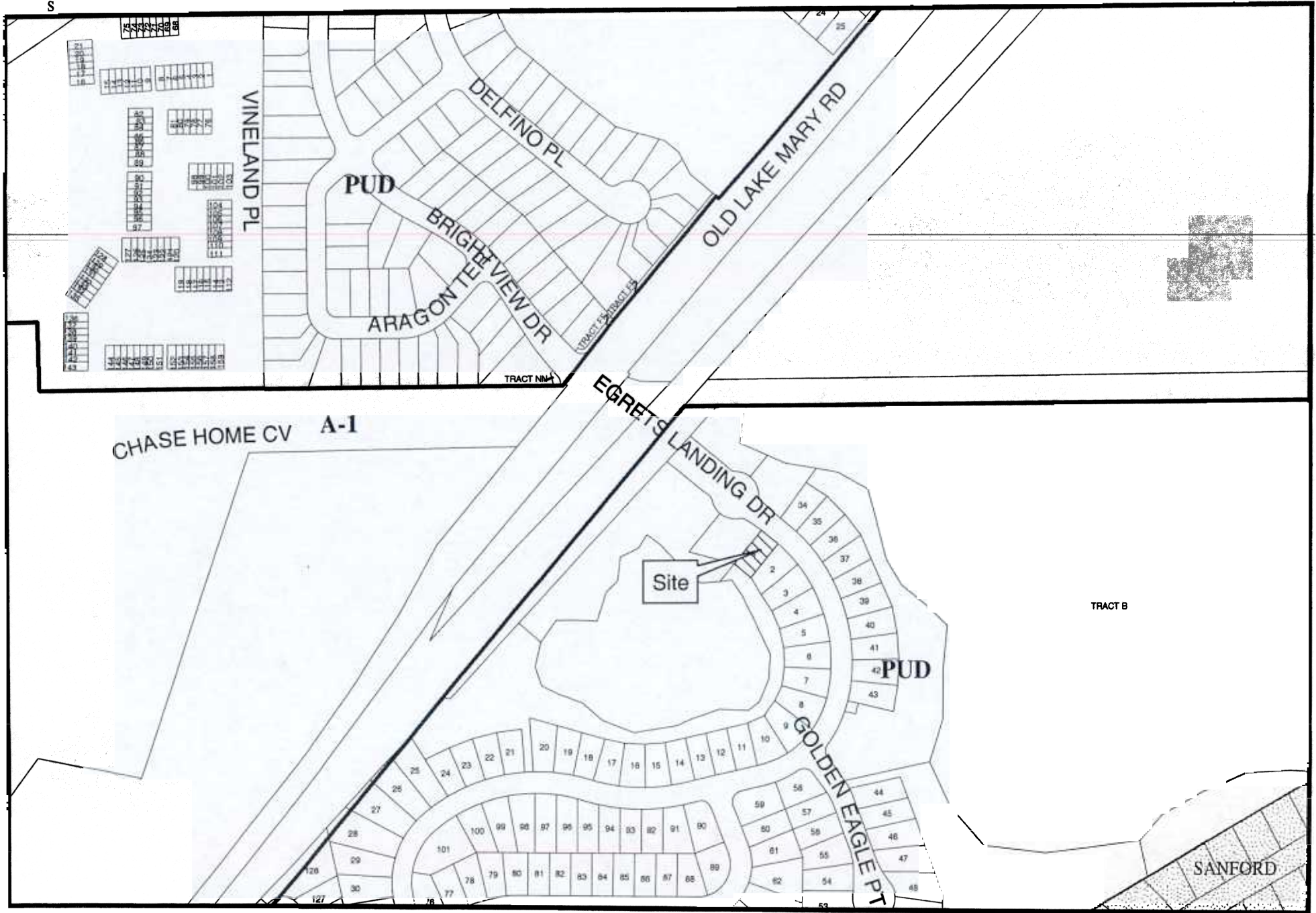
4) 6' chain link fence within 10' landscape easement for lots abutting Old Lake Mary Road and CSX RR corridor. 5) 6' masonry wall to be located within 15' of landscape easement with the exception of area adjacent to Tracts O and H. 6) Provide sidewalk easements around all cul-de-sacs to allow adequate room for utility and separation between sidewalk and curb. 7) Vegetation will be preserved within the 5' landscape easement except for minimal removal necessary for wall construction. 8) Side street driveways on corner lots are prohibited where the side street set back is 15'.	IMPACT FEES	
	SCREEN:	
	TRAFFIC ZONE:	17
	LAND USE:	1
	1. ROAD-CO. WIDE	705.00
	2. ROAD-COLL.	147.00
	3. LIBRARY	54.00
	4. FIRE	172.00
	5. PARK	
6. SCHOOL	1,384.00	
7. LAW		
8. DRAINAGE	200.00	
	TOTAL	\$2,657.00
	REMARKS: 4' sidewalks both sides of internal streets. 2' Miami curb typical	

COMMITMENT CARD

Instructions: print two-sided on card stock and cut along the left and bottom border.



Mary Jevitt 2800 Egrets Landing Drive



SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On October 27, 2003, Seminole County issued this Development Order relating to and touching and concerning the following described property:

Lot 1 Egrets Landing PB 54 PGS 96 thru 99

(The aforescribed legal description has been provided to Seminole County by the owner of the aforescribed property.)

FINDINGS OF FACT

Property Owner: MARY JEVITT
2800 EGRETS LANDING CIRCLE
LAKE MARY, FL. 32746

Requested Development Approval:

1. Rear yard setback variance from 20 feet to 10 feet for a covered screen room.

The Development Approval sought is consistent with the Seminole County Comprehensive Plan and will be developed consistent with and in compliance to applicable land development regulations and all other applicable regulations and ordinances.

The owner of the property has expressly agreed to be bound by and subject to the development conditions and commitments stated below and has covenanted and agreed to have such conditions and commitments run with, follow and perpetually burden the aforescribed property.

Prepared by: Kathy Fall
1101 East First Street
Sanford, Florida 32771

Order

NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:

- (1) The ~~aforementioned~~ application for development approval is **GRANTED**.
- (2) All development shall fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits including all impact fee ordinances.
- (3) The ~~conditions~~ upon this development approval and the commitments made as to this development approval, all of which have been accepted by and agreed to by the owner of the property are as follows:
 - a. ~~The~~ variance granted will apply only to the covered screen room as shown on the attached site plan.
- (4) This Development Order touches and concerns the ~~aforedescribed~~ property and the ~~conditions~~, commitments and provisions of this Development Order shall perpetually burden, run with and follow the said property and be a servitude upon and ~~binding~~ upon said property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity herewith. The owner of the ~~said~~ property has expressly covenanted and agreed to this provision and all ~~other terms~~ and provisions of this Development Order.
- (5) The ~~terms~~ and provisions of this Order are not severable and in the event any ~~portion~~ of this Order shall be found to be invalid or illegal then the entire order shall be null and void.

Done and Ordered on the date first written above.

By: _____
Matthew West
Planning Manager

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Matthew West who is personally known to me or who has produced _____ as identification and who executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 2003.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires: